

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IMPLICIT NETWORKS, INC.,

No. C 10-04234 SI

Plaintiff,

**ORDER RE PARTIES' STIPULATION
TO FILE UNDER SEAL**

v.

JUNIPER NETWORKS, INC.,

Defendant.

Currently before the Court is the parties' stipulation to file under seal portions of Juniper's Motion for Summary Judgment and Exhibits in support thereof. Docket No. 165. While the stipulation provides some explanation of the reasons why Juniper seeks to seal the material at issue, no declaration in support of sealing has been filed. *See generally* Civil Local Rule 79-5.

Within **five days** of the date of this Order, Juniper shall file a declaration identifying with specificity each document, page, or line of document Juniper wishes to file under seal and providing "compelling" reasons to justify the proposed sealing. *See, e.g., In re Midland Nat'l Life Ins. Co Annuity Sales Practices Litig. v. Allianz Life Ins. Co. of N. Am.*, 686 F.3d 1115, 1119-20 (9th Cir. 2012) (party seeking to seal information submitted in conjunction with summary judgment motion must show compelling reasons that override the public policies favoring disclosure). With respect to information identifying Juniper's clients and/or the products those clients purchased, Juniper must declare that the customer information is not already publicly known and explain how the mere identification of Juniper's clients and/or the products they purchased could create a security concern significant enough to justify sealing the material at issue.

IT IS SO ORDERED.

Dated: November 13, 2012



SUSAN ILLSTON
United States District Judge